

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**CASE NO.: 2:12-CR-150 (1)
JUDGE GEORGE C. SMITH
MAGISTRATE JUDGE VASCURA**

CHEZSIRRAY OWENSBY,

Defendant.

ORDER

On August 28, 2019, the Magistrate Judge issued a Report and Recommendation recommending that Defendant Owensby be sentenced to a term of imprisonment of thirty-six (36) months on Count I and twenty-four (24) months on Count II, to run concurrently with each other and consecutive to the state-court sentence. No further term of supervision was recommended. (Doc. 171).

The Magistrate Judge held a revocation hearing on August 28, 2019. The Defendant stipulated to the violations of the conditions of supervised release which included: “Defendant shall not commit another federal, state, or local crime;” “Defendant shall not possess a firearm, ammunition, or destructive device, or any other dangerous weapon;” “Defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;” and “Defendant shall notify the probation officer at least ten (10) days prior to any change in residence or employment.”

On August 21, 2019, Defendant was convicted in the Franklin County Common Pleas Court of three felony counts, including possession of cocaine, possession of fentanyl-related compound, and weapons under disability and sentenced to a total of 15 years incarceration and 5 years community control. Additionally, Defendant reported to his probation officer that he resided with his girlfriend at her Fleet Road address, but he failed to disclose that he was also residing at 3986 Waderidge Trail, Groverport, Ohio where he was storing drugs, cash, and firearms.

Based on all this information, the Magistrate Judge recommended that Defendant's supervised release be revoked and that he be sentenced to a term of imprisonment of thirty-six (36) months on Count I and twenty-four (24) months on Count II, to run concurrently with each other and consecutive to the state-court sentence. No further term of supervision was recommended.

Defendant was specifically informed of his right to contest the Report and Recommendation by filing any objections within 14 days of the issuance of the Report and Recommendation. Defendant did not file any objections. Accordingly, the Court **ADOPTS** the Report and Recommendation and hereby confirms the revocation of Defendant's supervised release. Defendant is sentenced to thirty-six (36) months imprisonment on Count I and twenty-four (24) months imprisonment on Count II, to run concurrently with each other and consecutive to the state-court sentence. No further term of supervised release is imposed.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT